

251 North Avenue West, 2nd Floor
 Westfield, New Jersey 07090
 Tel.: (908) 518-7700
 Fax: (908) 518-7795

Mayer Fortkort & Williams, PC
Attorneys At Law

Fax

RECEIVED
CENTRAL FAX CENTER
MAY 23 2005

To: Office of Petitions	From: Marjorie Scariati
Fax: 703-872-9306	Pages: 5
Phone:	Date: 05/23/2005
Re: 09/892,212	CC:

☐ Urgent
 ☒ For Review
 ☐ Please Comment
 ☐ Please Reply
 ☐ Please Recycle

PRIVACY AND CONFIDENTIALITY NOTICE

The information contained in this communication is confidential and may be legally privileged. It is intended solely for the use of the individual or entity to whom it is addressed and others authorized to receive it. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance on the contents of this information is strictly prohibited.

If you received this communication in error, please immediately notify us by a collect telephone call to the writer and return the original message and documents to us at the above address via the United States postal service.

PLEASE SEE ATTACHED PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE OFFICE ACTION AND STATEMENT ACCOMPANYING PETITION

Serial No.: 09/892,212

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tony S. Kaushal

Serial No.: 09/892,212

Filed: 06/25/2001

Title: EROSION-RESISTANT COMPONENTS FOR PLASMA PROCESS CHAMBERS

Art Unit: 1775

Examiner: Jennifer C. McNeil

Confirm. No.: 1445

Docket No.: 005231 ALRT/ETCH/DRIE

Via Facsimile: 703-308-6916 872-9306

Attn: Office of Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION UNDER 37 CFR 1.181(a) AND
STATEMENT ACCOMPANYING PETITION**

Sir:

This Petition to Withdraw Holding Of Abandonment Based On Failure To Receive Office Action is filed in response to the Notice of Abandonment mailed February 23, 2005.

As per the Notice of Abandonment, the applicant failed to file a response to the Office Action mailed July 28, 2004. This failure to file a response was unintentional as the Office Action was never received by the applicant, Applied Materials, Inc.

Enclosed please find a statement signed by a representative of the Assignee, Applied Materials, Inc., in which the representative states that the Office Action was not received, and attests to the fact that a search of the file jacket and docket records indicates that the Office Action was not received. A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is enclosed as well.

Serial No.: 09/892,212

In view of the above circumstances, Applicant hereby petitions the Commissioner to grant this Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action. It is respectfully requested that the Notice of Abandonment be withdrawn, and that the Office Action be remailed to the Assignee, Applied Materials, Inc., with a new period for response set to expire 3 months from the mailing date of the remailed Action.

While it is not believed that any fees are due as a result of this Petition to Withdraw Holding of Abandonment, the Commissioner is hereby authorized to charge any fees that may be due to the undersigned attorney's PTO Deposit Account #50-1047.

Respectfully submitted,



David B. Bonham Reg. No. 34,297

Attorney for Applicant
Mayer Fortkort & Williams, PC
251 North Avenue West, 2nd Floor
Westfield, NJ 07090

Tel.: 703-433-0510
Fax: 703-433-2362

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document, and any document referenced herein, has been transmitted via facsimile to the US Patent and Trademark Office, Office of Petitions at (703) 308-6916 on 5/23/05.



Marjorie Scariati

(Printed Name of Person Faxing Correspondence)

PLEASE CONTINUE TO SEND ALL CORRESPONDENCE TO:

Applied Materials, Inc.
2881 Scott Blvd, M/S 2061
Santa Clara, CA 95050

05/23/05 16:20 FAX 408 563 6492

APPLIED MATERIALS

To The Office of Petitions:

The undersigned states that the Office Action mailed to Applied Materials, Inc. on July 28, 2004 in patent application 09/892,212 was never received at the office of Applied Materials, Inc. A search of the file jacket and docket records confirms that the Office Action mailed July 28, 2004 was never received. A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is attached hereto.

Signed:



Printed name and title:

Sheri Griffin
Patent Administrator

BEST AVAILABLE COPY

05/23/05 14:01 FAX 408 583 6492

APPLIED MATERIALS

2002

05/23/2005

Patent Information Print

Pocket No 005231
 Country United States
 Case Type REGULAR CASE TYPE
 Relation Type ORIGINAL OR PATENT CASE
 Filing Type NATIONAL CASE
 Filing No
 Attorney Loretta A PETERS
 Law Firm Mayer Fortkort and Williams
 Client/Division Applied Global Services
 Current Owner Applied Materials, Inc.
 Prev Own
 AMW#
 Status APPLICATION IS FILED
 First Filing Dt 06/25/2001
 Sub Stat
 Sub Stat Dt
 Parent Country United States
 Parent Filing Dt 06/25/2001
 Parent No 09/892,212
 Parent Grant Dt
 Total Claims 29
 Ind. Claims 2
 Application # 09/892,212
 Application Dt 06/25/2001
 Patent No
 Grant Dt
 Publication # 2004-0033385
 Publication Dt 02/19/2004
 Assigned ASSIGNMENT RECORDED
 Expiration Dt
 Conv Type FIRST FILED CASE
 Tax Base Dt
 Govt Cont

Next Tax Dt
 Associate
 FBG
 Patent Admin
 Orig Office
 Add'l Atty
 ORF PTY
 Add'l Billing Agt
 Ag Ref No
 Rating
 Module
 Assoc Div
 SAP Upload
 Oppn/App No
 Oppn/App Dt
 Reel/Frame
 Assign Dt
 Reel/Frame #2
 2nd Assign Date
 Archive Loc
 Archive Dt
 AGENT-REF NO #2
 Cust No
 Cnfrm No
 Govt Cont No
 Grp Art Unit
 Verified
 Customer
 Create Dt
 Update Dt
 Update Tm
 Update User
 Update Type

Mayer Fortkort and Williams
 IBSS
 Sheri GRIFFIN

Robert W Mulcahy
 6000/04

11956/0087
 06/25/2001

1445

1733

N

A2PP

06/25/2001

03/22/2005

0937

SRG

Actions

Action INVENTOR FILING AWARD DUE
 Act Due Date 07/18/2001
 Taken Dt
 DeadLn Dt
 Comp Dt
 Resp Pty #1
 Resp Pty #2

08/01/2001

Action Notice of Missing Parts
 Act Due Date 10/15/2001
 Taken Dt
 DeadLn Dt
 Comp Dt
 Resp Pty #1
 Resp Pty #2

09/27/2001

Act Notes
 REQUEST WITHDRAWAL OF NMP./DB
 MFW to take care of this. NOMP was sent in error. SIGS was
 e filed on time/sa

Action PCT Search Rpt Published-IDS?
 Act Due Date 01/15/2003
 Taken Dt 11/08/2002
 DeadLn Dt
 Comp Dt
 Resp Pty #1
 Resp Pty #2

10/06/2003

Act Notes
 mayax

Action Revised Publication Date
 Act Due Date 02/19/2004
 Taken Dt
 DeadLn Dt
 Comp Dt
 Resp Pty #1
 Resp Pty #2

02/19/2004

Action Official Action Due Date
 Act Due Date 04/30/2004
 Taken Dt
 DeadLn Dt 07/30/2004
 Comp Dt
 Resp Pty #1
 Resp Pty #2

04/30/2004

Action RESPONSE TO ABANDONMENT
 Act Due Date 03/23/2005
 Taken Dt 03/22/2005
 DeadLn Dt
 Comp Dt
 Resp Pty #1
 Resp Pty #2

Act Notes
 Copy to Maxj & MFW/SAG

Action Supplemental IDS filed
 Act Due Date
 Taken Dt
 Comp Dt
 Resp Pty #1
 Resp Pty #2

12/02/2002

P.05 May 23 2005 19:41

MAYER FORTKORT WILLIAM FAX:908-518-7795

05/23/05 14:01 FAX 408 563 6492

APPLIED MATERIALS

000

DeadLn Dt

Action
Act Due Date
Taken Dt
DeadLn Dt

Foreign Filing Recommended

Comp Dt
Resp Pty #1
Resp Pty #2

05/15/2002
Mark O'BOYLE

Action
Act Due Date
Taken Dt
DeadLn Dt

Certified Copies ordered fro

05/17/2002

Comp Dt
Resp Pty #1
Resp Pty #2

07/24/2002

Action
Act Due Date
Taken Dt
DeadLn Dt

Information Disclosure State

Comp Dt
Resp Pty #1
Resp Pty #2

06/25/2001

Action
Act Due Date
Taken Dt
DeadLn Dt

Foreign to be Completed by:

06/05/2002
06/25/2002

Comp Dt
Resp Pty #1
Resp Pty #2

06/25/2002
Mark O'BOYLE

ACT NOTES

6/26/2002-FILED TW./DB
6/24/2002-FILED PCT./DB
6/6/2002-BSTZ CONFIRMS REC'T OF INSTR TO FILE PCT./DB
PER MOB, CPS will support, transfer to CPS, file PCT K, J, S
, Malaysia, CHINA, EPC -GERM, FR, UK and
direct in TW, instr to Blakley and TSAI/93
5/7/2002-SHAN WILL NOT PAY FOR FOREIGN FILING, MADE REQUEST
TO CPS TO ADOPT./DB

Action
Act Due Date

Filing Receipt Received

Comp Dt
Resp Pty #1

11/21/2003

BEST AVAILABLE COPY

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.